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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,550	08/16/2001	Steven Dale Goodman	RPS9 2001 0042	3291

45211 7590 12/17/2007

Robert A. Voigt, Jr.
WINSTEAD SECHREST & MINICK PC
PO BOX 50784
DALLAS, TX 75201

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 12/17/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
After the Filing of an Appeal Brief

Application No.

09/931,550

Examiner

Andrew L. Nalven

Applicant(s)

GOODMAN ET AL.

Art Unit

2134

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 18 April 2006 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: Applicant's amendment after the filing of Appeal Brief, but before the rendering of a decision by the BPAI is entered because it is directed only to the re-writing of allowable dependent claims into independent form.

The status of claims now is as follows.

Claims 3-5, 7-9, 12-14, and 16-18 are rejected and pending before the BPAI.

Claims 6, 15, and 19 are allowed.


KAMBIZ ZAND
SUPERVISOR, PATENT EXAMINER